



Massachusetts Department of Environmental Protection
Bureau of Resource Protection • Watershed Permitting Program
Surface Water Discharge (NPDES) • Non-Industrial Wastewaters

BRP WM 12 Remediation & Miscellaneous Contaminated Sites General Permit

Instructions and Supporting Materials

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Introduction

MassDEP *Instructions & Support Materials* are available for download from the MassDEP Web site at www.mass.gov/dep in two file formats: Microsoft Word™ and Adobe Acrobat PDF™. Either format allows documents to be printed.

Instructions & Support Materials files in Microsoft Word™ format contain a series of documents that provide guidance on how to prepare a permit application. Although we recommend that you print out the entire package, you may choose to print specific documents by selecting the appropriate page numbers for printing.

Permitting packages in Adobe Acrobat PDF™ format combine files may only be viewed and printed without alteration.



BRP WM 12

Permit Fact Sheet

1. What is the purpose of NPDES Permits?

These permits protect public health and the environment by controlling pollutant discharges to surface waters and ensuring that the water quality criteria and receiving water use prescribed in the Massachusetts Surface Water Quality Standards (314 CMR 4.00) are met.

2. Who must apply?

In general, NPDES permits must be applied for and obtained by:

- Any agency or political subdivision of the Commonwealth
- Any federal agency
- Any public or private:
 - corporation
 - authority
 - individual
 - partnership
 - association, or
 - other entity

proposing to discharge non-industrial wastewater from a point source to surface waters. If the site is covered under the provisions of the Massachusetts Contingency Plan (310 CMR 40.0000) then application to the state for coverage under the Remediation & Miscellaneous Contaminated Sites General Permit is not necessary.

3. What is the application fee?

BRPWM12 Remediation & Miscellaneous Contaminated Sites \$ 775
(310 CMR 4.10 Surface Water Discharge NPDES (xx) BRPWM12)

4. What is the Primary Permit Location?

Completed permit applications should be submitted to:

Department of Environmental Protection
Division of Watershed Management
627 Main Street, 2nd Floor
Worcester, MA 01608

5. What are the timelines?

MassDEP offers a money-back guarantee for completing permit reviews on time. If the Department fails to complete its permit review within prescribed timelines, it will refund the permit application fee and will continue working on the application. The timelines (in days) for these NPDES permits are:

Permit Category	Administrative and Technical Review	Supplemental Technical Review (if needed)	Review of Public Comments
BRP WM 12	30	30	30



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The timelines established for each category consist of an Administrative/Technical Review period and, if a public comment period is required, additional time to review comments received. If an application is found to be deficient, applicants are given the opportunity to correct the discrepancy and the Department then conducts a supplemental technical review.

6. What are annual compliance fees?

Annual compliance fees are assessed on facilities holding MassDEP permits. Assessments begin in the state fiscal year following the year the permit is issued.

\$1490 (310 CMR 4.03(2) Watershed Management)

Discharges lasting less than one year and the following entities are exempt from Annual Compliance Fees:

- Massachusetts state agencies.
- Massachusetts cities, towns, counties, districts.
- Municipal housing authorities, and federally recognized Indian tribe housing authorities.

7. How long is the notice of intent in effect?

Federal and state regulations each stipulate that NPDES permits be issued for a period, "not to exceed 5 years". Permits may be issued for less than 5 years.

8. How can I avoid the most common mistakes made in submitting an application?

- Make sure the application is signed and dated in ink by a legally responsible official.
- Submit a copy of the MassDEP transmittal form <http://mass.gov/dep/service/online/trasmfrm.shtml> and the completed application forms to the MassDEP Surface Water Discharge Permitting Program.
- Submit fee and a copy of the MassDEP transmittal form to: Department of Environmental Protection, P. O. Box 4062, Boston, MA 02211.

9. What are the state regulations that apply to these permits? Where can I get copies?

These regulations include, but are not limited to:

- Surface Water Discharge Regulations, 314 CMR 3.00.
- Surface Water Quality Standards, 314 CMR 4.00.
- Wastewater Treatment Plant Operators, 257 CMR 2.00.
- Timely Action Schedule and Fee Provisions, 310 CMR 4.00.
- Massachusetts Contingency Plan, 310 CMR 40.0000.

These may be purchased at:

State Bookstore (in State House)
Room 116
Boston, MA 02133
617-727-2834

State Bookstore
436 Dwight Street
Springfield, MA 01103
413-784-1376



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This permit allows a surface water discharge from four general categories, including: 1) site remediation primarily related to petroleum contamination; 2) site remediation activities where petroleum is not the primary contaminant; 3) contaminated construction site dewatering; and 4) miscellaneous contaminated discharges. A complete description of this permit is found on the Environmental Protection Agency's Region 1 website: <http://www.epa.gov/region1/npdes/rqp.html>. The MassDEP will perform a technical review of the application as necessary then issue an approval letter to EPA, copy to the applicant. EPA will issue the permit. If there are any questions, call 508-767-2854 or email robert.kubit@state.ma.us.

1. N.B. If the site is covered under the Massachusetts Contingency Plan (310 CMR 40.0000) then there is no need to apply to the state for coverage under BRP WM 12 (Remediation & Miscellaneous Contaminated Sites General Permit). Application to EPA is required in all cases.

2. The applicant should prepare three packages: MassDEP Application package; transmittal form and check package; and an EPA Application package.

a. The MassDEP application package should include a copy of the EPA Notice of Intent, the transmittal form with a copy of the check and a cover letter summarizing the situation.

- The Notice of Intent for the Remediation General Permit form. This form is available on the EPA Region 1 web site: http://www.epa.gov/region1/npdes/remediation/AppendixV_NOI.pdf and is accepted in lieu of state form BRPWM12.
- Transmittal form. Obtain from MassDEP web site: <http://mass.gov/dep/service/online/trasmfrm.shtml> Each transmittal form has a unique number and is used to track the permit status. **A transmittal form must have a transmittal number or it will become lost in the system.** A fee is required unless owner is exempt (see transmittal form). Include a copy of the check.

Send this package to: Massachusetts Department of Environmental Protection
Division of Watershed Management
627 Main Street, 2nd floor
Worcester, MA 01608

b. Transmittal form and check package: Send the check and a copy of the transmittal form to the address indicated on the transmittal form.

c. EPA Application package: Use the Notice of Intent for the Remediation General Permit form. This form is available on the EPA Region 1 web site: http://www.epa.gov/region1/npdes/remediation/AppendixV_NOI.pdf

Send this package to: US Environmental Protection Agency
RGP-NOC Processing
Municipal Assistance Unit (CMU)
1 Congress Street, Suite 1100
Boston, MA 02114-2023

or electronically mailed to NPDES.Generalpermits@epa.gov,
or faxed to the EPA office at 617-918-0505.